

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/581,538

Confirmation No. 6190

Applicant: DeFrees et al.

Filed: April 12, 2007

TC/AU: 1623

Examiner: Scarlett Y. Goon

Docket No.: 705711 (Client Reference No. NEO000294US/371; 7996.204-US)

Customer No.: 23460

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.132 OF SHAWN DeFREES

Sir:

I, Shawn DeFrees, hereby declare the following:

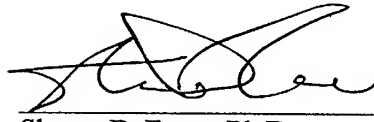
1. I am Chief Scientific Officer at Seneb Biosciences. I am named as an inventor of the above-referenced patent application. I am also a part-time consultant to BioGeneriX, which is the licensee of the above-referenced patent application.

2. I have reviewed the following portions of International Patent Application Publication WO 2003/031464, on which I am listed as a co-inventor: Page 9, lines 12-26, Page 13, lines 1-9, Page 14, line 15 – Page 15, line 2, Page 15, lines 7-13, Page 37, line 25 – Page 38, line 26, Page 85, lines 1-7, Page 149, lines 1-10, Page 150, lines 5-11, Page 152, lines 7-25, Page 175, lines 26-30, Page 176, lines 14-15, Page 351, line 23 – Page 352, line 6 (Example 9 “GlycoPEGylation of human pituitary-derived FSH), Page 352, line 28-Page 354, line 7 (Example 10, “GlycoPEGylation of recombinant FSH produced recombinantly in CHO cells”), and Figure 32.

3. These portions of International Patent Application Publication WO 2003/031464 describe subject matter invented by me or derived from my work.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further than these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

April 12, 2010
Date


Shawn DeFrees, Ph.D.